



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

**(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME FEE)**

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

To: <b>Commissioner for Patents Box RCE PO Box 1450 Alexandria, VA 22313-1450</b>	Attorney Docket No.:826.1656
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First Named Inventor	Hiroshi, NISHIMOTO
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Application No.	09/749,426	Group Art Unit	2633
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Filing Date	December 28, 2000	Examiner	Agustin Bello
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CPA Filing Date		Confirmation No	5685
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Title of Invention	OPTICAL NODE DEVICE AND SIGNAL SWITCHING AND CONNECTION METHOD
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This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.

**Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 1, 2004  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other

2.

**Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of    months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b.  Other

10/28/2004 SDENB0B1 00000010 09749426  
01 FC:1801 790.00 OP  
02 FC:1254 1110.00 OP

	BASIC FEE	\$ 790.00
Since an Official Action set an <u>original</u> due date of <u>July 1, 2004</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$110); 2 months (\$430); 3 months (\$980); 4 months (\$1,530); 5 months (\$2,080)): (A two-month extension was paid for the Amendment filed September 1, 2004.)		1110
Suspension Fee (\$130.00)		0.00
Total of above Calculations =	\$	1900.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28).		
TOTAL FEES DUE =	\$	1900.00
4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed.		
5. <input type="checkbox"/> Other:		

#### 6. METHOD OF PAYMENT

A check in the amount of \$ \$1900.00 is enclosed.  
 Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)

#### 7. GENERAL AUTHORIZATION

The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to:  
**Deposit Account No. 19-3935.**

#### 8. CORRESPONDENCE ADDRESS

STAAS & HALSEY LLP



21171

PATENT TRADEMARK OFFICE

#### 9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Deidre M. Davis	REGISTRATION NO.	52,797
SIGNATURE		DATE	Oct 27, 2004